

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ASTELLAS INSTITUTE FOR REGENERATIVE
MEDICINE, and STEM CELL & REGENERATIVE
MEDICINE INTERNATIONAL, INC.,

Plaintiffs and Counterclaim-Defendants,

v.

IMSTEM BIOTECHNOLOGY, INC., XIAOFANG
WANG, and REN-HE XU,

Defendants and Counterclaim-Plaintiffs.

C.A. NO. 1:17-cv-12239-ADB

JOINT STIPULATION REGARDING
U.S. PATENT APPLICATION NO. 15/656,473

Plaintiffs Astellas Institute for Regenerative Medicine (“Astellas”) and Stem Cell & Regenerative Medicine International, Inc. (“SCRMI”) (collectively “Plaintiffs” or “Astellas”) and Defendants ImStem Biotechnology, Inc. (“ImStem”), Xiaofang Wang, and Ren-He Xu (collectively, “Defendants” or “ImStem”) file this Joint Stipulation regarding United States Patent Application No. 15/656,473 (“the ’473 Application”), which is a divisional application of ImStem’s U.S. Patent No. 9,745,551 (“the ’551 Patent”).

The Parties hereby stipulate that any final judgment of the Court with respect to Plaintiffs’ Count I (Correction of Inventorship for the ’551 Patent: Drs. Kimbrel and Lanza as Sole Joint Inventors) and Count II (In the Alternative, Correction of Inventorship for the ’551 Patent: Drs. Kimbrel and Lanza as Joint Inventors with the Currently Named Inventors) will apply with equal force to the patent issued from the ’473 Application.

The Parties reserve all rights concerning the relevance or admissibility of evidence concerning the '473 Application at trial or any other proceeding in this case.

Dated: September 12, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent via first class mail on September 12, 2019 to those identified as non-registered participants.

/s/ David P. Frazier

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